

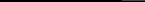
006/012

OCT 19 2005

for use through 07/31/2006 OMB 0651-0031  
U.S. DEPARTMENT OF COMMERCE  
Section 17a-2(h) of the Freedom of Information Act

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|  |   |                        |                  |
|--|---|------------------------|------------------|
| Substitute for Form 1448A/PTO  |   | Complete If Known      |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |   | Application Number     | 10/687,570       |
|  |   | Filing Date            | October 15, 2003 |
|  |   | First Named Inventor   | Mark Frei        |
|  |   | Art Unit               | 3736             |
|  |   | Examiner Name          | Unassigned       |
|  |   | Attorney Docket Number | 011738.00138     |
| Sheet  | 1 | of                     | 2                |

|                       |   |                    |          |
|-----------------------|---|--------------------|----------|
| Examiner<br>Signature |  | Date<br>Considered | 6/1/2006 |
|-----------------------|---|--------------------|----------|

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). <sup>2</sup> S is the Code of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 601.04. \*Enter Office that issued the document, by the two-letter code (WIPO O ST 16/stand 87.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WPO Standard ST 16 if possible. <sup>5</sup> Applicant is to place a check mark here. English language transcription is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.





PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 2

|  |   |                        |                  |
|--|---|------------------------|------------------|
| Substitute for form 1449A/PTO                            |   | Complete If Known      |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   | Application Number     | 10/687,570       |
| (Use as many sheets as necessary)                        |   | Filing Date            | October 15, 2003 |
|  |   | First Named Inventor   | Mark Frei        |
|  |   | Art Unit               | 3736             |
|  |   | Examiner Name          | Not assigned     |
|  |   | Attorney Docket Number | 011738.00138     |
| Sheet  | 1 | of                     | 2                |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner  
Signature

*John W. Barnes*

Date Considered

6/1/2006

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **<sup>1</sup> Applicant's unique citation designation number (optional).** **<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.** **<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).** **<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.** **<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.** **<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.**

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Substitute for form 1449B/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 2 of 2

| <b>Complete if Known</b>      |                  |
|-------------------------------|------------------|
| <i>Application Number</i>     | 10/687,570       |
| <i>Filing Date</i>            | October 15, 2003 |
| <i>First Named Inventor</i>   | Mark Frei        |
| <i>Art Unit</i>               | 3736             |
| <i>Examiner Name</i>          | Not assigned     |
| <i>Attorney Docket Number</i> | 011738.00138     |

## NON PATENT LITERATURE DOCUMENTS

|                       |                   |                    |        |
|-----------------------|-------------------|--------------------|--------|
| Examiner<br>Signature | Charles Marmor II | Date<br>Considered | 6/1/06 |
|-----------------------|-------------------|--------------------|--------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1. Applicant's unique citation designation number (optional).<sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Appendix 3: Unique Citation Designation Number (optional). Application is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0



Title of  
Invention

Phase Shifting of Neurological Signals an a Medical Device  
System

Application Number: 10/687570



Confirmation Number: 7127

First Named Applicant: Mark Frei

Attorney Docket Number: 011738.00138

Art Unit: 3736

Examiner: Unassigned Unassigned

Search string: ( 6385479 or 6449509 or 6094593 or  
20020038294 ).pn.

Certification: This Information Disclosure Statement was submitted under the following conditions, which satisfies the requirement under 37 CFR 1.97(e). The filer certified:

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

### US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

| init | Cite.No. | Patent No. | Date       | Patentee     | Kind | Class | Subclass |
|------|----------|------------|------------|--------------|------|-------|----------|
| 1    | 1        | 6385479    | 2002-05-07 | Sibbitt      |      |       |          |
| 2    | 2        | 6449509    | 2002-09-10 | Park         |      |       |          |
| 3    | 3        | 6094593    | 2000-07-25 | Karagueuzian |      |       |          |

*Charles Marman II* 6/1/2006

### US Published Applications

Note: Applicant is not required to submit a paper copy of cited US Published Applications

| init | Cite.No. | Pub. No.    | Date       | Applicant | Kind | Class | Subclass |
|------|----------|-------------|------------|-----------|------|-------|----------|
| 1    | 1        | 20020038294 | 2002-03-28 | Matsugu   |      |       |          |



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 011738.00138)

In re U.S. Patent Application of Frei, et al. )  
Application No. 10/687,570 ) Group Art Unit: 3736  
Filed: October 15, 2003 ) Examiner: Unassigned  
For: Phase Shifting of Neurological Signals ) Confirmation No. 7127  
In a Medical Device System )  
)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.97 and 1.98, the Applicant filed Information Disclosure Statements on April 26, 2004 and June 10, 2004 for the above-identified application.

This Supplemental Information Disclosure Statement is being submitted to advise the Commissioner of the following related co-pending patent applications:

|            |            |            |
|------------|------------|------------|
| 10/687,133 | 10/687,344 | 10/687,567 |
| 10/687,135 | 10/687,348 | 10/687,571 |
| 10/687,289 | 10/687,389 | 10/688,214 |
| 10/687,290 | 10/687,557 |            |
| 10/687,306 | 10/687,566 |            |

6/11/2008



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 011738.00138)

In the Application of: )  
Mark Frei, et al. ) Confirmation No. 7127  
Serial No. 10/687,570 ) Group Art Unit: 3736  
Filed: October 15, 2003 ) Examiner: Not assigned  
For: PHASE SHIFTING OF NEUROLOGICAL SIGNALS )  
IN A MEDICAL DEVICE SYSTEM )

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56. Copies of the U.S. patent references cited below are not enclosed. The references are also listed on the enclosed and completed Form PTO/SB/08A.

REFERENCES

U.S. Patent Documents

| <u>Patent No.</u> | <u>Inventor</u> | <u>Date Granted</u> |
|-------------------|-----------------|---------------------|
| 6,366,814         | Boveja, et al.  | 04/02/2002          |
| 6,587,727         | Osorio, et al.  | 07/01/2003          |
| 6,597,954         | Pless, et al.   | 07/22/2003          |
| 6,609,030         | Rezai, et al.   | 08/19/2003          |

*John J. Daburon*  
6/11/2006



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Institute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

4

### Complete If Known

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/687,570       |
| Filing Date            | October 15, 2003 |
| First Named Inventor   | Mark G. Frei     |
| Art Unit               | 3736             |
| Examiner Name          | TBD              |
| Attorney Docket Number | 011738.00138     |

### U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. <sup>1</sup> | Document Number                            | Issue/Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|---------------------|-----------------------|--|--------------------------------------|--|---|
|                     |                       | Number - Kind Code <sup>2</sup> (if known) |                                      |  |   |
| ✓VPS                |                       | US- 3522811                                | 08/04/1970                           | Schwartz et al.                                    |   |
|                     |                       | US- 3850161                                | 11/26/1974                           | Saul Liss  |   |
|                     |                       | US- 3863625                                | 02/04/1975                           | Viglione et al.                                    |   |
|                     |                       | US- 3967616                                | 07/06/1976                           | Sidney A. Ross                                     |   |
|                     |                       | US- 3993046                                | 11/23/1976                           | Fernandez et al.                                   |   |
|                     |                       | US- 4019518                                | 04/26/1977                           | Maurer et al.                                      |   |
|                     |                       | US- 4038536                                | 07/26/1977                           | Paul L. Feintuch                                   |   |
|                     |                       | US- 4295474                                | 10/20/1981                           | Robert E. Fischell                                 |   |
|                     |                       | US- 4373527                                | 2/15/1983                            | Robert E. Fischell                                 |   |
|                     |                       | US- 4417592                                | 11/29/1983                           | John E. Roy  |   |
|                     |                       | US- 4566464                                | 01/28/1986                           | Piconne et al.                                     |   |
|                     |                       | US- 4581758                                | 04/08/1986                           | Coker et al.                                       |   |
|                     |                       | US- 4610259                                | 09/09/1986                           | Cohen et al.                                       |   |
|                     |                       | US- 4702254                                | 10/27/1987                           | Jacob Zabara                                       |   |
|                     |                       | US- 4944299                                | 07/31/1990                           | Sergiu Sulvian                                     |   |
|                     |                       | US- 5311869                                | 05/19/1992                           | Nappholz et al.                                    |   |
|                     |                       | US- 5269303                                | 12/14/1993                           | Wemicke et al.                                     |   |
|                     |                       | US- 5299569                                | 04/05/1994                           | Wemicke et al.                                     |   |
|                     |                       | US- 5311876                                | 05/17/1994                           | Olsen et al.                                       |   |
|                     |                       | US- 5335657                                | 08/09/1994                           | Terry Jr. et al.                                   |   |
|                     |                       | US- 6473639                                | 10/24/2002                           | Fischell et al.                                    |   |
|                     |                       | US- 6480743                                | 11/12/2002                           | Kirkpatrick et al.                                 |   |
|                     |                       | US- 6560486                                | 05/06/2003                           | Osorio et al.                                      |   |
|                     |                       | US- 6591138                                | 07/08/2003                           | Fischell et al.                                    |   |
|                     |                       | US- 6597954                                | 07/22/03                             | Pless et al.                                       |   |
|                     |                       | US- 6647296                                | 11/11/2003                           | Fischell et al.                                    |   |
| ✓VPS                |                       | US- 2002/0013614                           | 01/31/2002                           | David L. Thompson                                  |   |

Examiner Signature

Date Considered

6/1/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

|                               |  |  |  |                        |                  |
|-------------------------------|--|--|--|------------------------|------------------|
| Substitute for form 1449A/PTO |  |  |  | Complete If Known      |                  |
|                               |  |  |  | Application Number     | 10/687,570       |
|                               |  |  |  | Filing Date            | October 15, 2003 |
|                               |  |  |  | First Named Inventor   | Mark G. Frei     |
|                               |  |  |  | Art Unit               | 3736             |
|                               |  |  |  | Examiner Name          | TBD              |
| Sheet 2 of 4                  |  |  |  | Attorney Docket Number | 011738.00138     |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials *   | Cite No. <sup>1</sup> | Document Number<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
| VPS                   |                       | US- 5487754   | 01/30/1996                     | Snell et al.                                       |   |
|                       |                       | US- 5626145   | 05/06/1997                     | Clapp et al.                                       |   |
|                       |                       | US- 5683422   | 11/04/1997                     | Mark T. Rise                                       |   |
|                       |                       | US- 5713922   | 02/03/1998                     | Gary William King                                  |   |
|                       |                       | US- 5713923   | 02/03/1998                     | Ward et al.  |   |
|                       |                       | US- 5716377   | 02/10/1998                     | Rise et al.  |   |
|                       |                       | US- 5720770   | 02/24/1998                     | Nappholz et al.                                    |   |
|                       |                       | US- 5743880   | 04/28/1998                     | Hively et al.                                      |   |
|                       |                       | US- 5752976   | 05/19/1998                     | Duffin et al.                                      |   |
|                       |                       | US- 5792186   | 08/11/1998                     | Mark T. Rise                                       |   |
|                       |                       | US- 5978702   | 11/02/1999                     | Ward et al.  |   |
|                       |                       | US- 5995868   | 11/30/1999                     | Dorfmeister et al.                                 |   |
|                       |                       | US- 6016449   | 01/18/2000                     | Fischell et al.                                    |   |
|                       |                       | US- 6018682   | 01/25/2000                     | Mark T. Rise                                       |   |
|                       |                       | US- 6066163   | 05/23/2000                     | Michael Sasha John                                 |   |
|                       |                       | US- 6083248   | 07/04/2000                     | David L. Thompson                                  |   |
|                       |                       | US- 6094598   | 7/25/2000                      | Elsberry et al.                                    |   |
|                       |                       | US- 6117066   | 08/12/2000                     | Abrams et al.                                      |   |
|                       |                       | US- 6128537   | 10/03/2000                     | Mark T. Rise                                       |   |
|                       |                       | US- 6128538   | 10/03/2000                     | Fischell et al.                                    |   |
|                       |                       | US- 6134474   | 10/17/2000                     | Fischell et al.                                    |   |
|                       |                       | US- 6200265   | 03/13/2001                     | Walsh et al.                                       |   |
|                       |                       | US- 6224549   | 05/01/2001                     | Win Van Drongelen                                  |   |
|                       |                       | US- 6227203   | 05/08/2001                     | Rise et al.  |   |
|                       |                       | US- 6230049   | 05/08/2001                     | Fischell et al.                                    |   |
|                       |                       | US- 6337997   | 01/08/2002                     | Mark T. Rise                                       |   |
|                       |                       | US- 6341236   | 01/22/2002                     | Osorio et al.                                      |   |
|                       |                       | US- 6353754   | 03/05/2002                     | Fischell et al.                                    |   |
|                       |                       | US- 6356784   | 03/12/2002                     | Lozano et al.                                      |   |
|                       |                       | US- 6360122   | 03/19/2002                     | Fischell et al.                                    |   |
|                       |                       | US- 6366813   | 04/02/2002                     | Daniel J. Di Lorenzo                               |   |
|                       |                       | US- 6374140   | 04/16/2002                     | Mark T. Rise                                       |   |
|                       |                       | US- 6427086   | 07/30/2002                     | Fischell et al.                                    |   |
|                       |                       | US- 6459936   | 10/01/2002                     | Fischell et al.                                    |   |
|                       |                       | US- 6466822   | 10/15/2002                     | Benjamin D. Pless                                  |   |
| VPS                   |                       | US- 6473639   | 10/24/2002                     | Fischell et al.                                    |   |

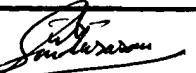
|                    |                         |                 |          |
|--------------------|-------------------------|-----------------|----------|
| Examiner Signature | <i>John S. Sennhenn</i> | Date Considered | 6/1/2006 |
|--------------------|-------------------------|-----------------|----------|

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

|  |  |      |                                     |                      |                  |
|--|--|------|-------------------------------------|----------------------|------------------|
| Substitute for form 1449B/PTO                            |  |      |                                     | Complete if Known    |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |  |      |                                     | Application Number   | 10/687,570       |
| (Use as many sheets as necessary)                        |  |      |                                     | Filing Date          | October 15, 2003 |
|  |  |      |                                     | First Named Inventor | Mark G. Frei     |
|  |  |      |                                     | Art Unit             | 3736             |
|  |  |      |                                     | Examiner Name        | TBD              |
| Sheet 3  |  | of 4 | Attorney Docket Number 011738.00138 |                      |                  |

| NON PATENT LITERATURE DOCUMENTS |                       |   |  |  |
|---------------------------------|-----------------------|---|--|--|
| Examiner Initials *             | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |
| VPS                             |                       | Alan V. Oppenheim & Ronald W. Schafer, Digital Signal Processing, Prentice-Hall, Inc., Englewood Cliffs, New Jersey, 1975, pg. 18-24.   |  |  |
| VPS                             |                       | Gotman J., & Gloor, P., "Automatic Recognition and Quantification of Interictal Epileptic Activity in the Human Scalp EEG", Electroencephalography and Clinical Neurophysiology, 1976, 41:513-529.  |  |  |
| VPS                             |                       | B. Litt and J. Echauz, "Prediction of Epileptic Seizures", 1 The Lancet Neurology 22 May 2002   |  |  |
| VPS                             |                       | H. Qu & J. Gotman, "A Seizure Warning System For Long-term Epilepsy Monitoring", 45 Neurology 2250, 1995  |  |  |
| VPS                             |                       | J. Gotman, "Automatic Recognition of Epileptic Seizures in the EEG", 54 Electroencephalography and Clinical Neurophysiology at 530-540, 1982  |  |  |
| VPS                             |                       | Lapkin et al., "The Electroencephalogram in Childhood Basilar Artery Migraine", 27 Neurology 580-583, June 1977)  |  |  |
| VPS                             |                       | Murro et al., "Computerized Seizure Detection of Complex Partial Seizures", 79 Electroencephalography and Clinical Neurophysiology 330-333 (1991)   |  |  |
| VPS                             |                       | P. Rajna and C. Lona, "Sensory Stimulation for Inhibition of Epileptic Seizures", 30(2) Epilepsia 168-174, 1989   |  |  |
| VPS                             |                       | R.P. Lesser et al., "Brief Bursts of Pulse Stimulation Terminate Afterdischarges Caused by Cortical Stimulation", Neurology 53, December 1999   |  |  |
| VPS                             |                       | Webber, W.R.S. et al., "Automatic EEG Spike Detection: What Should the Computer Imitate", 87 Electroencephalography and Clinical Neurophysiology 330-333 (1993)   |  |  |
| VPS                             |                       | Grassberger, Peter et al., "Characterization of Strange Attractors" Vol. 50, No.5., The American Physical Society , January 31, 1983.   |  |  |

|                    |   |                 |          |
|--------------------|---|-----------------|----------|
| Examiner Signature |  | Date Considered | 6/1/2006 |
|--------------------|---|-----------------|----------|

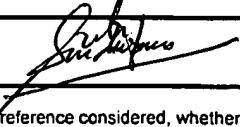
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

|  |   |    |   |                               |                  |
|--|---|----|---|-------------------------------|------------------|
| Substitute for form 1449B/PTO                            |   |    |   | <b>Complete if Known</b>      |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   |    |   | <i>Application Number</i>     | 10/687,570       |
| <i>(Use as many sheets as necessary)</i>                 |   |    |   | <i>Filing Date</i>            | October 15, 2003 |
|  |   |    |   | <i>First Named Inventor</i>   | Mark G. Frei     |
|  |   |    |   | <i>Art Unit</i>               | 3736             |
|  |   |    |   | <i>Examiner Name</i>          | TBD              |
| Sheet  | 4 | of | 4 | <i>Attorney Docket Number</i> | 011738.00138     |

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                       |   |  |  |                |
|--|-----------------------|---|--|--|----------------|
| Examiner Initials                      | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  | T <sup>2</sup> |
| VPS                                    |                       | Iasemidis, L. D. and Sackellares, J. C. "Chaos Theory and Epilepsy". The Neuroscientist, 2:118-126, 1996. <retrieved from <a href="http://citeseer.ist.psu.edu/iasemidis96chaos.html">http://citeseer.ist.psu.edu/iasemidis96chaos.html</a> >                   |  |  |                |
| VPS                                    |                       | Elger, Christian E., et al., "Short Communication: Seizure Prediction By Non-Linear Time Series Analysis of Brain Electrical Activity" European Journal of Neuroscience, Vol. 10, pgs. 786-789 (1998)   |  |  |                |
| VPS                                    |                       | Gotman, J., "Seizure Recognition and Analysis", Montreal Neurological Institute and Deartment of Neurology and Neurosurgery, McGill University, Montreal, Quebec. H3A 2B4 (Canada)  |  |  |                |
| VPS                                    |                       | Vachtsevanos, G.J., et al. "Neuro-Fuzzy Approaches to Decision Making: A Comparative Study With An Application to Check Authorization" Journal of Intelligent and Fuzzy Systems, Vol. 6, pgs. 259-278 (1998)  |  |  |                |
| VPS                                    |                       | Osorio, Ivan, et al., "Real-Time Automated Detection and Quantitative Analysis of Seizures and Short-Term Prediction of Clinical Onset" Epilepsia, Vol. 39(6) pgs. 615-627, (1998)  |  |  |                |
|  |                       |   |  |  |                |
|  |                       |   |  |  |                |
|  |                       |   |  |  |                |
|  |                       |   |  |  |                |
|  |                       |   |  |  |                |
|  |                       |   |  |  |                |

|                    |   |                 |          |
|--------------------|---|-----------------|----------|
| Examiner Signature |  | Date Considered | 6/1/2003 |
|--------------------|---|-----------------|----------|

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.